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20 November 1997

ORIGINAL: ENGLISH

Fifty-second session
THIRD COMMITTEE
Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Angola, Argentina, Australia, Austria, Belgium, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Liberia, Liechtenstein, Malta, Monaco, Mozambique, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, San Marino, Slovakia, Slovenia, Sweden, Uganda and Zambia: draft resolution

Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problem this is creating for the international community,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

Recalling the relevant norms of international human rights instruments, of international humanitarian law and analogous refugee law, and emphasizing the need for their better implementation with regard to internally displaced persons,

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Recalling also the emphasis in the Vienna Declaration and Programme of Action on the need to develop global strategies to address the problem of internal displacement,

Noting the progress made thus far by the representative of the Secretary-General on internally displaced persons in developing a legal framework, analysing institutional arrangements, undertaking dialogue with Governments and issuing a series of reports on particular country situations together with proposals for remedial measures,

Welcoming the request made by the Commission on Human Rights to the Secretary-General to ensure the rapid publication and the wide dissemination of the compilation and analysis of legal norms prepared by the representative,

Welcoming also the decision by the Inter-Agency Standing Committee to extend a standing invitation to the representative of the Secretary-General on internally displaced persons to participate in its meetings and those of its subsidiary bodies, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

Recalling its resolution 50/195 of 22 December 1995,

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons;

2. Commends the representative of the Secretary-General for the activities undertaken so far, despite the limited resources available to him, and for the catalytic role he continues to play to raise the level of consciousness about the plight of internally displaced persons;

3. Encourages the representative to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to increase protection, assistance and solutions for internally displaced persons;

4. Also encourages the representative to continue to pay specific attention in his review to the protection and assistance needs of women and children, bearing in mind the relevant strategic objective in the Beijing Declaration and the Platform for Action;

5. Looks forward to the comprehensive study being prepared by the representative to promote a comprehensive strategy for better protection, assistance and development for internally displaced persons;

A/CONF.157/24 (Part I), chap. III.

A/52/506, annex.

A/CONF.177/20, chap. I, resolution 1, annex.

6. Welcomes Commission on Human Rights resolution 1997/39 of 11 April 1997, in which the Commission encourages the representative of the Secretary-General to continue, on the basis of his compilation and analysis of legal norms, to develop a comprehensive framework for the protection of internally displaced persons, and takes note of his preparations for guiding principles to this end;

7. Calls upon all Governments to continue to facilitate the activities of the representative, in particular Governments with situations of internal displacement, encourages them to give serious consideration to inviting the representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

8. Invites Governments to give due consideration, in dialogue with the representative, to the recommendations and suggestions made to them by him, in accordance with his mandate, and to inform him of measures taken thereon;

9. Urges all relevant United Nations humanitarian assistance and development organizations concerned to enhance their collaboration with the representative by developing frameworks of cooperation to promote protection, assistance and development for internally displaced persons and to provide all possible assistance and support to him;

10. Urges these organizations, especially through the Inter-Agency Standing Committee, to develop a more comprehensive and coherent system of collecting data on the situation of internally displaced persons, in cooperation with the representative of the Secretary-General;

11. Requests the Secretary-General to give all necessary assistance to the representative to carry out his mandate effectively;

12. Decides to continue its consideration of this question at its fifty-fourth session.

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Afghanistan, Algeria, Angola, Burundi, China, Colombia, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mexico, Mozambique, Myanmar, Namibia, Nigeria, Peru, Rwanda, Sudan, Syrian Arab Republic, Togo, Uganda, United Republic of Tanzania, Viet Nam and Zambia: draft resolution

Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social

realities of each of them, in strict compliance with the purposes and principles of the Charter of the United Nations and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Reaffirming also the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[3] the International Covenant on Civil and Political Rights,[3] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

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[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 217 A (III).

[3] Resolution 2200 A (XXI), annex.

5. Reaffirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Underlines the importance of the promotion of dialogue on human rights issues;

7. Emphasizes that all human rights are universal, indivisible and interdependent and interrelated, and that, as such, the international community must treat them globally in a fair and equal manner, on the same footing, and with the same emphasis, giving both the rights of the individual and collective rights due attention;

8. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

9. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

10. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

11. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for all human rights and fundamental freedoms for all;

12. Requests the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

13. Reiterates its request to the Secretary-General to consult Member States, intergovernmental organizations and non-governmental organizations on ways and means for the strengthening of United Nations action in the field of human rights, including the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this issue to the General Assembly at its fifty-third session;

14. Decides to consider this matter at its fifty-third session under the item entitled "Human rights questions".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Georgia, India, Morocco, Pakistan, Panama, Turkey and Turkmenistan: draft resolution

Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[2] and the International Covenants on Human Rights,[3]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[4]

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[1] Resolution 217 A (III).

[2] Resolution 2625 (XXV), annex.

[3] Resolution 2200 A (XXI), annex.

[4] See resolution 50/6.

Recalling also the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[5]

Recalling further its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994 and 50/186 of 22 December 1995,

Recalling further previous resolutions on human rights and terrorism of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities,

Taking into account the fact that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, particularly the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with the relevant provisions of international law including international human rights standards,

1. Expresses its solidarity with the victims of terrorism;

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[5] A/CONF.157/24 (Part I), chap. III.

2. Condemns the violations of the right to live free from fear and of the right to life, liberty and security;

3. Reiterates its unequivocal condemnation of the acts, methods and practices of terrorism, in all its forms and manifestations, as aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

4. Calls upon States to take all necessary and effective measures in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed;

5. Urges the international community to enhance cooperation at regional and international levels in the fight against terrorism in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

6. Condemns incitement of ethnic hatred, violence and terrorism;

7. Requests the Secretary-General to collect information from all relevant sources on the implications of terrorism, in all its forms and manifestations, and of the fight against terrorism, for the full enjoyment of human rights and fundamental freedoms, and to continue to seek views of Member States on the possible establishment of a United Nations voluntary fund for the victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society;

8. Also requests the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on human rights and terrorism based on the information collected;

9. Decides to consider this question at its fifty-fourth session under the item entitled "human rights questions".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Argentina, Australia, Canada, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Israel, Malta, Marshall Islands, Monaco, New Zealand, Philippines, Poland and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons,

Recalling its previous relevant resolutions, as well as those of the Commission on Human Rights, in particular Commission resolution 1997/75 of 18 April 1997, and the conclusions of the World Conference on Human Rights,[1] which recognized that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people,

Noting with satisfaction the participation of the United Nations High Commissioner for Human Rights in the framework for coordination activities and projects organized by the United Nations system aimed at evolving a comprehensive approach to address root causes and effects of movements of

[1] A/CONF.157/24 (Part I), chap. III.

refugees and other displaced persons and the strengthening of emergency preparedness and responsible mechanisms,

Conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, which may include human rights violations, political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation, which indicate that comprehensive approaches, particularly early warning, require an intersectoral and multidisciplinary approach to enable a coherent response, particularly at the international and regional levels,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations which cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Convinced that the activities of these mechanisms, with a view, inter alia, to preventing mass exoduses and to strengthening emergency preparedness and response mechanisms of the United Nations system as a whole, should be encouraged and further developed and coordinated at both the international and regional levels, with priority given to the systematization of the early-warning information collection,

Welcoming the continuation of inter-agency consultations on early warning of mass flows of refugees, pursuant to the decision of the Administrative Committee on Coordination, with the purpose of serving both prevention of and preparedness for humanitarian emergencies,

Recognizing the complementarity between the systems for the protection of human rights and for humanitarian action, and that the work of humanitarian agencies makes an important contribution to the achievement of human rights,

Welcoming further the cooperation between the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other relevant United Nations entities, to ensure effective coordination of activities within their mandates and expertise with respect to returnee promotion and monitoring, technical advice, institution-building and rehabilitation activities,

Recognizing that women and children constitute the majority of most refugee populations and that, in addition to the problems they share in common with all refugees, women and girls in such circumstances are vulnerable to gender-based discrimination and gender-specific violations of human rights,

Recalling that States parties to the 1951 Convention relating to the Status of Refugees undertake, under article 35, to provide information on the implementation of the Convention to the Office of the United Nations High Commissioner for Refugees, as was recalled in the General Conclusions on international protection adopted by the Executive Committee of the Programme of

the United Nations High Commissioner for Refugees in 1995 (No. 77 (XLVI)) 1996 (No. 79 (XLVII)) and 1997,

Distressed at the widespread violation of the principle of non-refoulement and of the rights of refugees, in some cases resulting in loss of refugee lives, and at reports indicating that large numbers of refugees and asylum-seekers have been refouled and expelled in highly dangerous situations, and recalling that the principle of non-refoulement is not subject to derogation,

Recalling all relevant human rights standards, including the Universal Declaration of Human Rights, the principles of international protection for refugees and the General Conclusions of the Executive Committee of the Programme of the High Commissioner for Refugees on international protection, and that asylum applicants should have access to fair and expeditious status-determination procedures,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees in meeting the protection and assistance needs of refugees worldwide and in working to make it possible for refugees to exercise their fundamental right to return to and to stay in their own countries, in safety and dignity,

1. Takes note of the report of the Secretary General;[1]

2. Recalls with satisfaction its endorsement, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language, and urges States to refrain from denying them because of gender;

3. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

4. Invites again all Governments and regional, intergovernmental and humanitarian organizations concerned, where appropriate, to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons and the causes of such exoduses;

5. Emphasizes the responsibility of all States and international organizations to cooperate with those countries, particularly developing ones, affected by mass exoduses of refugees and displaced persons and calls on Governments and the High Commissioner for Human Rights to continue to respond to assistance needs of countries hosting large numbers of refugees until durable solutions are found;

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[1] A/52/494.

6. Urges all bodies involved in inter-agency consultations on early warning to cooperate fully in and to increase the necessary commitment and resources to the successful operation of the consultations;

7. Invites the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to seek information, where appropriate, on human rights problems which may result in mass exoduses of populations or impede their voluntary return home and, where appropriate, to include such information, together with recommendations thereon, in their reports, and to bring such information to the attention of the United Nations High Commissioner for Human Rights for appropriate action in fulfilment of her mandate, in consultation with the United Nations High Commissioner for Refugees;

8. Requests all United Nations bodies, including the human rights treaty bodies, acting within their mandates, the specialized agencies, and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and, in particular, to provide them with all relevant information in their possession on the human rights situations creating or affecting refugees and displaced persons;

9. Requests the United Nations High Commissioner for Human Rights, in the exercise of her mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, to promote the coordination of human rights activities throughout the United Nations system and, in cooperation with the United Nations High Commissioner for Refugees, to pay particular attention to situations which cause or threaten to cause mass exoduses and to contribute to efforts to address such situations effectively through protection measures, emergency preparedness and response mechanisms, including information sharing with the United Nations early-warning mechanisms, and the provision of technical advice, expertise and cooperation in countries of origin as well as host countries;

10. Welcomes the efforts of the High Commissioner for Human Rights to contribute to the creation of an environment viable for return in post-conflict societies through initiatives such as the rehabilitation of the justice system, the creation of national institutions capable of defending human rights, and broad-based programmes of human rights education, and strengthening of local non-governmental organizations through programmes of advisory services and technical cooperation;

11. Urges the Secretary-General to give high priority and to allocate the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early-warning activities in the humanitarian area, for the purpose of ensuring, inter alia, that effective action is taken to identify all human rights abuses which contribute to mass outflows of persons, and to invite comments on this issue;

12. Welcomes with appreciation the contributions of the United Nations High Commissioner for Refugees to the deliberations by the Commission on Human Rights at its fifty-third session and to other international human rights bodies

and mechanisms, and invited her to address the Commission at its fifty-fourth session;

13. Encourages States that have not already done so to consider acceding to the 1951 Convention relating to the Status of Refugees and its Protocol of 1967 and to other relevant regional refugee instruments, as applicable, and relevant international human rights instruments;

14. Notes with appreciation that a number of States not party to the 1951 Convention and its Protocol of 1967 continue to maintain a generous approach to asylum; nevertheless, considering that over fifty States have yet to accede to these instruments, urges all States that have not yet done so to accede to and implement fully these instruments as well as relevant regional instruments for the protection of refugees, where applicable, thereby strengthening the framework of international protection;

15. Encourages States parties to the 1951 Convention relating to the Status of Refugees to provide information to the Office of the United Nations High Commissioner for Refugees, in accordance with article 35 of the Convention;

16. Calls upon States to ensure effective protection of refugees through, inter alia, respecting the principle of non-refoulement;

17. Requests the Secretary-General to prepare and submit to the General Assembly at its fifty-fourth session a report on the implementation of this resolution as it pertains to all aspects of human rights and mass exoduses, with detailed information on the programmatic, institutional, administrative, financial and management efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such flows;

18. Decides to continue its consideration of this question at its fifty-fourth session.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Brazil, Canada, Costa Rica, Côte d'Ivoire, France, India, Indonesia, Kenya, Latvia, Mauritius, Mexico, Morocco, Sri Lanka and Venezuela: draft resolution

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest shown in all regions in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play an important role in assisting the development of national institutions,

Recalling that, in its resolution 48/134 of 20 December 1993, the Assembly welcomed the principles relating to the status of national institutions for the promotion and protection of human rights, annexed to that resolution,

Recalling the Vienna Declaration and Programme of Action[1] adopted by the World Conference on Human Rights, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Platform for Action[2] adopted by the Fourth World Conference on Women, in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches to promoting universal respect for and observance of human rights and fundamental freedoms,

Noting with satisfaction the constructive participation of representatives of national institutions for the promotion and protection of human rights in, and their positive contribution to, the deliberations of the World Conference on Human Rights, the Commission on Human Rights, as well as international seminars and workshops on human rights organized or sponsored by the United Nations,

Welcoming the strengthening of regional cooperation among national human rights institutions and, in particular, the First African Conference on National Human Rights Institutions, held at Yaoundé, in February 1996, the Second International Workshop on Ombudsman and Human Rights Institutions, held at Chisinau, Republic of Moldova, in May 1996, the first meeting of the Asia-Pacific Forum of National Human Rights Institutions, held at Darwin, Australia, in July 1996, the Third International Workshop on Ombudsman and National Human Rights Institutions, held at Riga in June 1997, and the second meeting of the Asia-Pacific Forum of National Human Rights Institutions, held in New Delhi in September 1997, as well as the holding of the Fourth International Workshop on Ombudsman and National Human Rights Institutions, at Mérida, Mexico, in November 1997,

1. Welcomes the report of the Secretary-General on national institutions for the protection and promotion of human rights;[3]

2. Reaffirms the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national

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[1] A/CONF.157/24 (Part I), chap. III.

[2] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] A/52/468.

institutions for the promotion and protection of human rights contained in the annex to General Assembly resolution 48/134;

3. Recognizes that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for the national institution that is best suited to its particular needs at the national level in order to promote international human rights standards;

4. Encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

5. Welcomes the growing number of States establishing, or considering the establishment of, national institutions for the promotion and protection of human rights, and the intensified activities of the Office of the United Nations High Commissioner for Human Rights in promoting and strengthening national institutions;

6. Encourages national institutions for the promotion and protection of human rights established by Member States to prevent and combat all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. Reaffirms the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations, and encourages national institutions to play an active role in the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights at the national and local levels;

8. Urges the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

9. Welcomes the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights for that purpose;

10. Notes the role of the Coordinating Committee created by national institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,[4] in close cooperation with the Office of the United Nations High Commissioner for Human Rights, to assist Governments and national institutions,

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[4] Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

11. Requests the Secretary-General to continue to provide the necessary assistance for holding meetings of the Coordinating Committee during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

12. Also requests the Secretary-General to continue to provide, from within existing resources and from the United Nations Voluntary Fund for Technical Cooperation in the field of human rights, the necessary assistance for regional meetings of national institutions;

13. Notes the importance of resolving the question of finding an appropriate form of participation by independent national institutions in meetings of the Commission on Human Rights and its subsidiary bodies;

14. Recognizes the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights;

15. Encourages all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

16. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Afghanistan, Albania, Andorra, Bosnia and Herzegovina, Canada, Chile, Costa Rica, Croatia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Pakistan, Qatar, San Marino, Saudi Arabia, Turkey, United Arab Emirates and United States of America: draft resolution

Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights[1] the International Covenants on Human Rights,[2] and other human rights instruments,

Taking note with concern of the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro), which describe the continuing grave human rights situation in Kosovo,

Noting with regret that a memorandum of understanding on the education system in Kosovo signed in 1996 has not yet been implemented, and calling for full and immediate implementation of that memorandum,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

Noting with concern the use of force by Serbian police against peaceful Kosovo Albanian students protesters on 1 October 1997, and the failure of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to make reasonable accommodation to address the students' legitimate grievances,

1. Expresses its deep concern about all violations of human rights and fundamental freedoms in Kosovo, in particular the repression of the ethnic Albanian population and discrimination against it, as well as acts of violence in Kosovo;

2. Calls upon the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro):

(a) To take all necessary measures to bring to an immediate end all human rights violations against ethnic Albanians in Kosovo, including, in particular, discriminatory measures and practices, arbitrary searches and detention, the violation of the right to a fair trial, and the practice of torture and other cruel, inhuman or degrading treatments, and to revoke all discriminatory legislation, in particular that which has entered into force since 1989;

(b) To release all political prisoners, and cease the persecution of political leaders and members of local human rights organizations;

(c) To allow the return in safety and dignity of Albanian refugees from Kosovo to their homes;

(d) To allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and respect the will of its inhabitants as the best means of preventing the escalation of the conflict there;

(e) To allow the reopening of educational, cultural and scientific institutions of ethnic Albanians;

3. Urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to pursue constructive dialogue with the representatives of ethnic Albanians of Kosovo;

4. Welcomes the visits to Kosovo of the Special Rapporteur of the Commission on Human Rights in the Territory of former Yugoslavia and her relevant reports, and calls upon her to continue to monitor closely the human rights situation in Kosovo and to continue to pay due attention to that matter in her reporting;

5. Urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow the immediate unconditional return of the long-term mission of the Organization for Security and Cooperation in Europe to Kosovo, as called for in Security Council resolution 855 (1993) of 9 August 1993;

6. Welcomes the report of the Secretary-General on the situation of human rights in Kosovo,[1] submitted pursuant to Assembly resolution 51/111 of 12 December 1996, and requests him to continue his efforts to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations to establish an adequate international monitoring presence in Kosovo, and to report thereon to the General Assembly at its fifty-third session;

7. Encourages the Secretary-General to pursue his humanitarian efforts in former Yugoslavia, in liaison with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, and other appropriate humanitarian organizations with a view to taking urgent practical steps to tackle the critical needs of the people in Kosovo, and to assist in the voluntary return of displaced persons to their homes in conditions of safety and dignity;

8. Emphasizes the importance of laws and regulations concerning citizenship applied by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) being in accordance with the standards and principles of non-discrimination, equal protection before the law and the reduction and avoidance of statelessness, as set out in the relevant international human rights instruments;

9. Also emphasizes that improvements in the promotion and protection of human rights and fundamental freedoms in Kosovo will assist the Federal Republic of Yugoslavia (Serbia and Montenegro) to establish the full range of relations with the international community;

10. Decides to continue the examination of the situation of human rights in Kosovo at its fifty-third session under the item entitled "Human rights questions".

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[1] A/52/502.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Argentina, Austria, Bulgaria, Canada, Germany, Hungary, Iceland, Italy, Monaco, Norway, Romania, Slovakia, Spain, Sweden and United States of America: draft resolution

Human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] and the Convention on the Rights of the Child,[4]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling the obligation of all parties to respect international humanitarian law,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 2106 A (XX), annex.

[4] Resolution 44/25, annex.

Also recalling its resolution 51/112 of 12 December 1996, and taking note of Commission on Human Rights resolution 1997/59 of 15 April 1997,

Noting with deep concern the human rights violations and breaches of international humanitarian law outlined in Commission on Human Rights resolution 1997/59, including the aerial bombardment of civilians, slavery, slave trade, extrajudicial killings, arbitrary arrests, detentions without due process, enforced or involuntary disappearances, violations of the rights of women and children, forced displacement of persons and systematic torture, and denial of the freedoms of religion, expression, association and peaceful assembly,

Expressing serious concern about continued reports of religious persecution, including forced conversion of Christians and Animists in government-controlled areas of the Sudan,

Welcoming the visit to the Sudan by the Special Rapporteur on the elimination of all forms of religious intolerance,[5]

Especially concerned about the continued reports of the abuse of children, including slavery, sexual abuse, forced conversion and the use of children as soldiers despite repeated calls from the international community to put an end to this practice, as described in the report of the Special Rapporteur on the situation of human rights in the Sudan,[6]

Deeply concerned about policies, practices and activities which are directed against and particularly violate the human rights of women and girls, and noting the continuation of such practices, including civil and judicial discrimination against women, as reported by the Special Rapporteur,

Gravely concerned about reports that those practices have frequently been carried out by agents under government authority or have taken place with the knowledge of the Government of the Sudan,

Taking note of efforts reported by the Government of Sudan to investigate such activities and practices, as well as measures proposed to eliminate verified instances of them, as urged in previous General Assembly resolutions,

Welcoming new practices regarding street children which centre on rehabilitation and family reunification and the increasing involvement of the United Nations Children's Fund in projects with the Government of the Sudan,

Also welcoming the invitation extended by the Government of Sudan to the Special Rapporteur on Freedom of Opinion and Expression and to the Working Group on Contemporary Forms of Slavery, and urging that the visit to Sudan by the Special Rapporteur on Freedom of Opinion and Expression take place as soon as possible,

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[5] See A/52/477.

[6] A/52/510.

Further welcoming the support extended by the Government of Sudan to the visit by a delegation of the African Commission on Human and Peoples' Rights in December 1996,

Noting the establishment by the Government of the Sudan of national committees for human rights education, and encouraging the Office of the United Nations High Commissioner for Human Rights to take into consideration requests for assistance by the Government of Sudan, including assistance to help those committees to improve the observance of human rights in Sudan,

Welcoming the establishment by the Consultative Council for Human Rights of subcommittees on detentions without trial, arrests, torture and lack of due process of law, religious persecution, forced displacement and bombardment, extrajudicial killings, access for relief organizations and humanitarian law, slavery and disappearances, the rights of the child, and freedom of expression and peaceful assembly,

Noting the long overdue report by the Government of Sudan on the summary execution of aid workers in Juba in 1992, and regretting that it did not provide any evidence that a fair trial was given,

Also noting the work of the Special Investigation Committee on Allegations of Enforced or Involuntary Disappearances and Reported Cases of Slavery,

Concerned that the continuation of civil war in the Sudan has caused the internal displacement of a large number of persons, including ethnic minorities, has resulted in the indiscriminate bombing and shelling of civilian targets, and has been marked by gross violations of human rights by the Government of the Sudan and lack of respect of international humanitarian law by all parties to the conflict,

Encouraged by the joint announcement by the Government of the Sudan and the Sudan Peoples' Liberation Movement that they are engaged in peace talks, scheduled to resume in early 1998 under the sponsorship of the Intergovernmental Authority on Development, and the acceptance by all parties of the Declaration of Principles as the basis for negotiation,

1. Expresses deep concern at the serious, widespread and continuing human rights violations in the Sudan, including extrajudicial killings and summary executions; detentions without due process; violations of the rights of women and children; forced displacement of persons, enforced or involuntary disappearances; torture and other forms of cruel and unusual punishment; slavery, practices similar to slavery and forced labour; denial of the freedoms of expressions, association and peaceful assembly; and discrimination based on religion;

2. Expresses its outrage at the use by all parties to the conflict of military force to disrupt or attack relief efforts, and calls for an end to such practices and for those responsible for such actions to be brought to justice;

3. Calls upon the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in

particular the International Covenants on Human Rights,[3] the International Convention on the Elimination of All Forms of Racial Discrimination,[4] the Convention on the Rights of the Child,[5] the Slavery Convention, as amended,[6] and the supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery,[7] to implement those instruments to which it is a party, and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in those instruments;

4. Encourages the Special Investigation Committee on Allegations of Enforced or Involuntary Disappearances and Reported Cases of Slavery to redouble its efforts to comply with previous General Assembly resolutions, in which the Assembly urged the Government of the Sudan to ensure that all cases of slavery, servitude, slave trade, forced labour and similar practices brought to its attention are investigated and all appropriate measures are implemented to put an immediate end to those practices;

5. Urges the Government of the Sudan to publicize the existence and activities of the Special Committee; to guarantee that those who provide information to it will not suffer any negative consequences as a result; and to involve local authorities in its activities;

6. Urges the Government of the Sudan to provide adequate security for all special rapporteurs, and to live up to its pledge to provide logistical support to national, regional and international organizations to join the investigations of alleged cases of involuntary disappearance and slavery;

7. Urges the Government of the Sudan and all parties to the conflict to grant international human rights and humanitarian organizations and independent observers free and unimpeded access to all areas where violations have been reported;

8. Continues to urge the placement of human rights monitors, within existing resources, in such locations as will facilitate improved information flow and assessment and independent verification of reports, with particular attention to violations and abuses of human rights in areas of armed conflict, as recommended by the Special Rapporteur on the situation of human rights in the Sudan;

9. Calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949,[8] and the Additional Protocols thereto, of 1977,[10] to halt the use of weapons against the civilian population and to

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[3] United Nations, Treaty Series, vol. 212, No. 2861.

[4] Ibid., vol. 266, No. 3822.

[8] United Nations, Treaty Series, vol. 75, Nos. 970-973.

[10] Ibid., vol. 1125, Nos. 17512 and 17513.

protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of land-mines by government and rebel forces alike;

10. Again calls upon the Government of the Sudan and all parties to allow Operation Lifeline Sudan, international agencies, humanitarian organizations and donor Governments unimpeded access to civilian populations to deliver humanitarian assistance;

11. Expresses its hope that all parties to the civil war will negotiate seriously at the Intergovernmental Authority on Development's peace talks at Nairobi when they resume in early 1998, in the view that an end to the civil war would be an important first step towards the elimination of human rights violations in the Sudan;

12. Again urges the Government of the Sudan to release all political detainees, to cease all acts of torture and cruel, inhuman or degrading treatment, to close down all clandestine or unacknowledged detention centres, and to ensure that all accused persons are held in ordinary police or prison custody where family members and lawyers can visit them, and that such persons receive prompt, just and fair trials under internationally recognized standards;

13. Again urges Sudanese authorities to take all steps necessary to respect the human rights of persons belonging to the most vulnerable groups of the society, the women, children and ethnic and religious minorities living in the conflict zones, as recommended by the Special Rapporteur;

14. Calls for an immediate halt to the inhumane and unjustified practice of the aerial bombardment of civilian targets by the Government of the Sudan;

15. Welcomes the promise given by the Government of the Sudan to the United Nations Secretary-General's Special Envoy for Humanitarian Affairs to the Sudan to allow relief flights unimpeded access to people in need, and expresses its hope that such flights will now be permitted to take place without danger or obstacles;

16. Encourages the Government of the Sudan to work actively for the eradication of practices which are directed against and particularly violate the human rights of women and girls, especially in the light of the Beijing Declaration and Platform for Action[11] adopted by the Fourth World Conference on Women;

17. Welcomes the most recent visit by the Special Rapporteur and his interim report on the situation of human rights in the Sudan;[5]

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[11] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. 96.IV.13), resolution 1, annexes I and II.

18. Extends its full support to the Special Rapporteur, and encourages him to continue to pursue a broad dialogue with the Government of the Sudan and all other parties which he deems relevant to the situation of human rights in the Sudan with a view to addressing the concerns expressed in the relevant resolutions of the General Assembly and the Commission on Human Rights, and to visit the Sudan and travel in the Sudan, as necessary;

19. Also encourages visits to the Sudan by the Special Rapporteur on Freedom of Opinion and Expression and the Working Group on Contemporary Forms of Slavery, who have both been invited by the Government of the Sudan, and requests both to report to the Commission and to the General Assembly on their findings;

20. Welcomes the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for an additional year;

21. Requests the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance, within existing resources, in the discharge of his mandate;

22. Recommends the continued monitoring of the serious human rights situation in the Sudan, urges continuation of the regional efforts to end the hostilities and human suffering in the South, and invites the Commission on Human Rights, at its fifty-fourth session, to give urgent attention to the situation of human rights in the Sudan;

23. Decides to continue its consideration of this question at its fifty-third session.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Austria, Belgium, Bulgaria, Canada, Czech Republic, Estonia, Germany, Greece, Hungary, Iceland, Latvia, Lithuania, Monaco, Romania, San Marino, Spain, Sweden and United States of America: draft resolution

Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 51/117 of 12 December 1996,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992,[3] in which the Commission, inter alia, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian Government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar,

Taking note of Commission on Human Rights resolution 1997/64 of 16 April 1997, in which the Commission decided to extend for one year the mandate of its Special Rapporteur on the situation of human rights in Myanmar,

Noting with concern that the Government of Myanmar has not yet agreed to a visit by the Special Rapporteur,

Gravely concerned that the Government of Myanmar still has not implemented its commitment to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Gravely concerned at the travel and other restrictions placed on Aung San Suu Kyi and other political leaders and at continued arrests and harassment of members and supporters of the National League for Democracy, trade unionists and students for peacefully exercising their right to freedom of expression, assembly and association, at forced resignations of elected representatives and at the long closure of all universities and colleges following the student demonstrations in December 1996,

Recalling the withdrawal and subsequent exclusion from the National Convention of members of the National League for Democracy in late 1995,

Noting the contact between the Government of Myanmar and political parties, in particular the National League for Democracy, but regretting the failure of the Government of Myanmar to engage in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups,

Gravely concerned at the continued violations of human rights in Myanmar, as reported by the Special Rapporteur, including extrajudicial, summary or arbitrary executions, killings of civilians, torture, arbitrary arrest and detention, deaths in custody, absence of due process of law, including trial of detainees in secrecy without proper legal representation, severe restrictions on freedom of opinion, expression, assembly and association, violations of freedom of movement, forced relocation, forced labour by children as well as adults, including portering for the military, abuse of women and children by government agents, and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

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[3] See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

Recalling the observation made by the Special Rapporteur that the absence of respect for the rights pertaining to democratic governance is at the root of all the major violations of human rights in Myanmar,

Recalling also the conclusion of ceasefire agreements between the Government of Myanmar and several ethnic groups,

Noting that the human rights situation in Myanmar has resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

1. Expresses its appreciation to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar for his interim report,[4] and urges the Government of Myanmar to cooperate fully with the Special Rapporteur and to ensure his access to Myanmar, without preconditions, in order to allow him fully to discharge his mandate;

2. Also expresses its appreciation to the Secretary-General for his report;[5]

3. Deplores the continued violations of human rights in Myanmar;

4. Notes that Nobel Peace Prize Laureate Aung San Suu Kyi was allowed to travel to the National League for Democracy's Thaketa township office to conduct peacefully normal political activities on 21 October 1997, but subsequently was blocked from attending party meetings of the National League for Democracy on 28 October 1997 in Mayangon Township, on 5 November 1997 in Tamwe Township and on 13 November 1997 in Hlaing Township, and requests the Government of Myanmar to permit unrestricted communication with and physical access to Aung San Suu Kyi and other political leaders by members and supporters of the National League for Democracy and to protect their physical well-being;

5. Strongly urges the Government of Myanmar to release immediately and unconditionally detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

6. Urges the Government of Myanmar to pursue its contacts with the National League for Democracy with a view to engaging, at the earliest possible date, in a substantive political dialogue with the National League for Democracy General Secretary Aung San Suu Kyi and other political leaders, including representatives of ethnic groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

7. Welcomes the visits to Myanmar in the first half of 1997 by the Envoy of the Secretary-General and the United Nations Director of the East Asia and the Pacific Division for the purpose of discussions with the Government and with

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[4] See A/52/484.

[5] A/52/587.

Aung San Suu Kyi and other political leaders, and further encourages the Government of Myanmar to broaden its dialogue with the Secretary-General and to facilitate access by his representative to the political leaders in Myanmar;

8. Again urges the Government of Myanmar, in conformity with its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990 and to ensure that political parties and non-governmental organizations can function freely;

9. Welcomes the holding of the Ninth Anniversary Conference of the National League for Democracy on 27 and 28 September 1997;

10. Expresses its concern that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of the objectives of the Convention is to maintain the participation of the armed forces in a leading role in the future political life of the State, notes also with concern that the composition and working procedures of the National Convention do not permit the elected representatives of the people freely to express their views, and concludes that the National Convention does not appear to constitute the necessary steps towards the restoration of democracy;

11. Strongly urges the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process, in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

12. Also strongly urges the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, the right to fair trial and the protection of the rights of persons belonging to ethnic and religious minorities, to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations and to enforced disappearances and summary executions, and to fulfil its obligation to end impunity of perpetrators of human rights violations, including members of the military, and to investigate and prosecute alleged violations committed by government agents in all circumstances;

13. Calls upon the Government of Myanmar to implement fully the recommendations made by the Special Rapporteur;

14. Welcomes the accession by the Government of Myanmar on 22 July 1997 to the Convention on the Elimination of All Forms of Discrimination against Women;

15. Appeals to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights, the International

Covenant on Economic, Social and Cultural Rights[4] and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;[5]

16. Strongly urges the Government of Myanmar to fulfil its obligations with regard to the Convention on the Rights of the Child,[6] as set out in the concluding comments of the Committee on the Rights of the Child;

17. Also strongly urges the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and to the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), of the International Labour Organization, and encourages the Government of Myanmar to cooperate more closely with the International Labour Organization, in particular with the Commission of Inquiry appointed in accordance with article 26 of the Constitution of the International Labour Organization;

18. Stresses the importance for the Government of Myanmar to give particular attention to improving the conditions in the country's jails and to allow the International Committee of the Red Cross to communicate freely and confidentially with prisoners;

19. Calls upon the Government of Myanmar and other parties to the hostilities in Myanmar to respect fully the obligations under international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949,[7] to halt the use of weapons against the civilian population, to protect all civilians, including children, women and persons belonging to ethnic or religious minorities, from violations of humanitarian law and to avail itself of such services as may be offered by impartial humanitarian bodies;

20. Encourages the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

21. Requests the Secretary-General to continue his discussions with the Government of Myanmar in order to assist in the implementation of the present resolution and to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fourth session;

22. Decides to continue its consideration of this question at its fifty-third session.

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[4] Resolution 39/46, annex.

[5] Resolution 44/25, annex.

[6] United Nations, Treaty Series, vol. 75, Nos. 970-973.

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HUMAN RIGHTS QUESTIONS: COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION

Argentina, Armenia, Austria, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Mongolia, Morocco, Namibia, New Zealand, Nicaragua, Norway, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Solomon Islands, Thailand, Turkey, Turkmenistan, Ukraine and Venezuela: draft resolution

Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

The General Assembly,

Recalling its resolution 48/121 of 20 December 1993, in which it endorsed the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, as well as its subsequent resolutions on this matter,

Considering that the promotion of universal respect for and observance of all human rights and fundamental freedoms for all is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Convinced that the Vienna Declaration and Programme of Action has to be translated into effective action by States, the competent United Nations organs and organizations and other organizations concerned, including non-governmental organizations,

Recalling the request of the Conference to the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations,

Recalling that in its resolution 48/141 of 20 December 1993 the General Assembly decided to create the post of United Nations High Commissioner for Human Rights as the United Nations official with principal responsibility for United Nations human rights activities, including coordination of the human rights promotion and protection activities throughout the United Nations system,

Recalling part II, paragraph 100, of the Vienna Declaration and Programme of Action concerning the five-year review of progress made in the implementation of the Vienna Declaration and Programme of Action, to be carried out in 1998,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that the interdependence of democracy, development and respect for human rights, as stated in the Vienna Declaration and Programme of Action, requires a comprehensive and integrated approach to the promotion and protection of human rights and that adequate inter-agency cooperation and coordination are essential in order to ensure such a fully integrated approach throughout the United Nations system,

Welcoming the fact that the call of the World Conference on Human Rights for a United Nations system-wide approach to human rights issues has been reflected in the recommendations of major international conferences organized by the United Nations in the economic, social and related fields, and noting the ongoing efforts to ensure a coordinated follow-up to major international conferences in the economic, social and related fields,

Recalling that each year the Economic and Social Council shall carry out, within the framework of its coordination segment, a review of cross-cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a United Nations conference, in accordance with agreed conclusions 1995/1 of the Economic and Social Council,

Recalling its resolution 51/118 of 12 December 1996, Commission on Human Rights resolutions 1997/69 of 16 April 1997[1] and 1996/78 of 23 April 1996, as well as Economic and Social Council decision 1996/283 of 24 July 1996 concerning the recommendation to devote the coordination segment of the Economic and Social

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[1] See Official Records of the General Assembly, Fiftieth Session, Supplement No. 3 (A/50/3/Rev.1), chap. III, para. 22.

[2] Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

[3] Ibid., 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

Council at its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action,

Taking note of the note by the Secretary-General on possible common themes for the follow-up of major international conferences during the coordination segment of the substantive session of 1998 of the Economic and Social Council,[1]

Having considered the report of the United Nations High Commissioner for Human Rights, in particular chapter VII, entitled "1998 - Human Rights Year",

1. Reaffirms the importance of the promotion of universal respect for and observance and protection of all human rights and fundamental freedoms in accordance with the Charter of the United Nations, as expressed in the Vienna Declaration and Programme of Action;

2. Also reaffirms the views of the World Conference on Human Rights on the urgency of eliminating denials and violations of human rights;

3. Recognizes that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

4. Calls upon all States to take further action with a view to the full realization of all human rights for all in the light of the recommendations of the Conference;

5. Urges all States to continue to give widespread publicity to the Vienna Declaration and Programme of Action, in particular in the context of the public information and human rights education activities for the fiftieth anniversary of the Universal Declaration of Human Rights, including through training programmes, human rights education and public information, in order to promote increased awareness of all human rights and fundamental freedoms;

6. Requests the United Nations High Commissioner for Human Rights, the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all the recommendations of the Conference;

7. Takes note of the report of the Chairman of the Working Group of the Third Committee mandated to consider aspects of the implementation of the recommendations of the Vienna Declaration and Programme of Action, as set out in paragraphs 17 and 18 of part II of the Vienna Declaration and Programme of Action, and underlines the need for its full implementation;

8. Emphasizes the important role of the United Nations High Commissioner for Human Rights in the system of the United Nations human rights organs, as defined in its resolution 48/141, in particular her role in the process of

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[1] E/1997/91.

analysis of the functioning of the United Nations human rights machinery and its adaptation to current and future needs;

9. Invites the Administrative Committee on Coordination to continue to discuss the implications of the Vienna Declaration and Programme of Action for the United Nations system, with the participation of the High Commissioner, in particular in the context of the preparations for the 1998 five-year review;

10. Welcomes the fact that, in accordance with part II, paragraph 100 of the Vienna Declaration and Programme of Action, the High Commissioner has requested Governments and United Nations agencies and programmes to provide reports on the progress made in the implementation of the recommendations adopted by the World Conference, and has invited regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, to present their views in this regard;

11. Calls upon all States to contribute actively to the 1998 five-year review;

12. Welcomes the inter-agency consultations of the High Commissioner with all United Nations programmes and agencies whose activities deal with human rights for the preparations of the 1998 five-year review, and calls upon them to contribute actively to this process;

13. Encourages regional and national human rights institutions as well as non-governmental organizations to present, on this occasion, their views on the progress made in the implementation of the Vienna Declaration and Programme of Action;

14. Welcomes and supports once again Economic and Social Council decision 1996/283, in which the Council endorsed the recommendation of the Commission on Human Rights to consider devoting the coordination segment of its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action as part of the 1998 five-year review foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action;

15. Requests the High Commissioner to present an interim report to the Commission on Human Rights at its fifty-fourth session and a final report to the General Assembly at its fifty-third session on the progress made in the implementation of the Vienna Declaration and Programme of Action, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, taking into account reports provided by states and United Nations organs and agencies related to human rights and views presented by regional and, as appropriate, national human rights institutions, as well as non-governmental organizations;

16. Decides to review at its fifty-third session, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, the progress made in the implementation of the Vienna Declaration and Programme of Action, under the sub-item entitled 'Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action'.